By:  King S.B. No. 267

(In the Senate - Filed December 7, 2022; February 15, 2023, read first time and referred to Committee on Finance; April 17, 2023, reported adversely, with favorable Committee Substitute by the following vote: Yeas 17, Nays 0; April 17, 2023, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Huffman              X

Hinojosa             X

Bettencourt          X

Campbell             X

Creighton            X

Flores               X

Hall                 X

Hancock              X

Hughes               X

Kolkhorst            X

Nichols              X

Paxton               X

Perry                X

Schwertner           X

West                 X

Whitmire             X

Zaffirini            X

COMMITTEE SUBSTITUTE FOR S.B. No. 267 By:  Bettencourt

A BILL TO BE ENTITLED

AN ACT

relating to law enforcement agency accreditation, including a grant program to assist agencies in becoming accredited.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subchapter B, Chapter 403, Government Code, is amended by adding Section 403.0302 to read as follows:

Sec. 403.0302.  LAW ENFORCEMENT AGENCY ACCREDITATION GRANT PROGRAM. (a) The comptroller shall establish and administer a grant program to provide financial assistance for purposes of becoming accredited to each law enforcement agency that:

(1)  is required to be accredited by the rules adopted under Section 1701.165, Occupations Code; and

(2)  employs fewer than 250 peace officers.

(b)  To be eligible to receive a grant under this section, a law enforcement agency must have executed a contract with an accrediting entity described by Section 1701.165(b), Occupations Code, and complete an initial assessment by the accrediting entity.

(c)  Based on the results of the initial assessment completed under Subsection (b), a law enforcement agency may request grant funds for reimbursement of an accreditation fee, staff overtime, or temporary staffing necessary to become accredited.

(d)  Grant money provided under this section may only be used by a law enforcement agency for the purposes of becoming accredited. A law enforcement agency may not receive more than one grant under this section.

(e)  The amount of a grant awarded under this section may not exceed $30,000.

(f)  The comptroller shall establish:

(1)  eligibility criteria for grant applicants;

(2)  grant application procedures;

(3)  guidelines relating to grant amounts;

(4)  procedures for evaluating grant applications, including prioritizing applications from law enforcement agencies employing fewer than 100 peace officers;

(5)  procedures for monitoring the use of a grant awarded under the program and ensuring compliance with any conditions of a grant; and

(6)  procedures for revoking a grant awarded under the program if the law enforcement agency is not accredited within the period specified by the rules adopted under Section 1701.165, Occupations Code.

(g)  Not later than December 1 of each year, the comptroller shall submit to the Legislative Budget Board a report that provides the following information for the preceding state fiscal year:

(1)  the name of each law enforcement agency that applied for a grant under this section; and

(2)  the amount of money distributed to each law enforcement agency that received a grant under this section.

(h)  The comptroller may use any revenue available for purposes of this section.

(i)  Notwithstanding any other law or rule, beginning September 1, 2029, a law enforcement agency described by Section 1701.165, Occupations Code, must be accredited as provided by the rules adopted under that section to be eligible to receive any grant supporting law enforcement operations or equipment acquisition administered by the comptroller other than a grant under this section.

SECTION 2.  Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.165 to read as follows:

Sec. 1701.165.  LAW ENFORCEMENT AGENCY ACCREDITATION. (a) This section applies only to a law enforcement agency employing at least 20 peace officers described by Article 2.12(1), (3), (4), (8), or (10), Code of Criminal Procedure, to answer emergency calls for service or conduct patrol operations, traffic enforcement, or criminal investigations.

(b)  The commission shall adopt rules requiring each law enforcement agency to become accredited and maintain accreditation:

(1)  through the Texas Police Chiefs Association Law Enforcement Agency Best Practices Accreditation Program;

(2)  by the Commission on Accreditation for Law Enforcement Agencies, Inc.;

(3)  by the International Association of Campus Law Enforcement Administrators;

(4)  by an accreditation program developed by the Sheriffs' Association of Texas; or

(5)  by an association or organization designated by the commission as provided by Subsection (e).

(c)  The rules adopted under Subsection (b) must require a law enforcement agency that is not already accredited to:

(1)  execute a contract with an approved accrediting entity not later than September 1, 2027; and

(2)  become accredited not later than September 1, 2029.

(d)  The commission shall implement a program to assist law enforcement agencies in becoming accredited as required by the rules adopted under Subsection (b).

(e)  The commission shall periodically review associations and organizations that establish standards of practice for law enforcement agencies and that offer accreditation to agencies that meet those standards. On a majority vote of the commission that accreditation of law enforcement agencies in this state by an association or organization would benefit public safety, the commission may designate the association or organization as an accrediting entity for purposes of Subsection (b)(5).

(f)  A law enforcement agency shall annually report the agency's accreditation status, including the applicable accrediting entity described by Subsection (b), to the commission.

(g)  The commission shall post on the commission's Internet website a list of all law enforcement agencies that are currently accredited or under contract with an accrediting entity as described by Subsection (b).

SECTION 3.  (a)  Not later than December 1, 2023, the Texas Commission on Law Enforcement shall adopt the rules required by Section 1701.165, Occupations Code, as added by this Act.

(b)  Not later than January 1, 2024, the comptroller shall establish the grant program required by Section 403.0302, Government Code, as added by this Act.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

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